

REMARKS

In response to the Office Action mailed November 5, 2007, Applicant respectfully requests reconsideration. To further the prosecution of this application, amendments have been made in the claims, and each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The claims as presented are believed to be in condition for allowance.

Claims 1, 3 and 5-11 were previously pending in this application. Claims 1 and 11 are amended herein. No claims are added or canceled. As a result, claims 1, 3 and 5-11 remain pending for examination, with claims 1 and 11 being independent. No new matter has been added.

Claim Rejections Under 35 U.S.C. §103

Claims 1, 3 and 5-11 are rejected under 35 U.S.C. §103(a) as purportedly being obvious over “Dye-sensitized Solar Cells Using Semiconductor Thin Film Composed Of Titania Nanotubes,” by Adachi *et al.* (“Adachi”) in view of U.S. Patent No. 5,350,644 to Graetzel *et al.* (“Graetzel”), U.S. Patent No. 6,376,765 to Wariishi *et al.* (“Wariishi”) and U.S. Patent No. 6,586,670 to Yoshikawa (“Yoshikawa”). Independent claims 1 and 11 are amended herein, and patentably distinguish over the asserted combination.

As amended herein, claim 1 recites a dye-sensitized photoelectric transfer device comprising a semiconductor layer containing titania nanotubes; and a sensitizing dye retained by the titania nanotubes, wherein the sensitizing dye has no acidic substituents, wherein particles of the sensitizing dye do not associate with each other and no suppression of dye association is performed, and wherein a photoelectric transfer efficiency of the photoelectric transfer device is greater than about 10%.

Without conceding the propriety of the asserted combination, Applicant respectfully points out that the prior art of record fails to satisfy all of the limitations recited by amended claim 1, as none of the cited references disclose or suggest a dye-sensitized photoelectric transfer device comprising a sensitizing dye having particles which do not associate with each other and wherein no suppression of dye association is performed.

The Office Action relies on Yoshikawa to satisfy the limitations of previously pending claim 1 directed to particles of a sensitizing dye not associating with each other. In particular, the Office Action cites a passage at which Yoshikawa discloses employing a suppressant to weaken association between dye particles (col. 13, lines 42-49). As amended, claim 1 recites that particles of a sensitizing dye do not associate with each other, and no suppression of dye association is performed. Neither Yoshikawa nor any other cited reference satisfies this limitation. As a result, claim 1 patentably distinguishes over the asserted combination, and the rejection of claim 1 under 35 U.S.C. §103(a) as purportedly being obvious over Adachi in view of Graetzel, Wariishi and Yoshikawa should be withdrawn.

Claims 2-10 depend from claim 1 and are allowable for at least the same reasons.

Amended claim 11 recites a method of manufacturing a dye-sensitized photoelectric transfer device. The method comprises, *inter alia*, retaining a sensitizing dye with titania nanotubes, wherein particles of the sensitizing dye do not associate with each other and no suppression of dye association is performed.

It should be appreciated from the discussion above relating to claim 1 that the prior art of record fails to disclose or suggest a method comprising retaining a sensitizing dye with titania nanotubes wherein particles of the sensitizing dye do not associate with each other and no suppression of dye association is performed. As a result, the rejection of claim 11 under 35 U.S.C. §103(a) as purportedly being obvious over Adachi in view of Graetzel, Wariishi and Yoshikawa should be withdrawn.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: February 5, 2008

Respectfully submitted,

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